

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

William E. Harrell, Jr.,	)	
	)	C.A. No. 6:04-2328-HMH
Plaintiff,	)	
	)	
vs.	)	
	)	
Greenville Hotel Partners, Inc., and R.G.	)	
Hospitality, LLC, and Ronald Gedda, and	)	
Choice Hotels International, Inc., and R.G.	)	
Properties, LLC,	)	
	)	
Defendants.	)	
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Nicholas R. Wilkerson,	)	
	)	C.A. No. 6:05-2142-HMH
Plaintiff,	)	
	)	
vs.	)	
	)	
Greenville Hotel Partners, Inc., R.G.	)	
Hospitality, LLC, Ronald Gedda, Choice	)	
Hotels International, Inc., and R.G.	)	
Properties, LLC,	)	
	)	
Defendants.	)	

## **OPINION & ORDER**

This matter is before the court on R.G. Properties, LLC's ("RGP") motion to bifurcate pursuant to Rule 42 of the Federal Rules of Civil Procedure. Rule 42 states that

[t]he court, in furtherance of convenience or to avoid prejudice, or when separate trials will be conducive to expedition and economy, may order a separate trial of any . . . separate issue . . . or any number of issues, always preserving inviolate the right of trial by jury as declared by the Seventh Amendment to the Constitution or as given by a statute of the United States.

The court is always constrained to grant a motion to bifurcate. However, in light of the particular facts of this case, the court believes it would be in the best interests of justice

and judicial economy to bifurcate the issues of liability and damages. Therefore, RGP's motion to bifurcate is granted.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
October 25, 2006